

## **EXHIBIT 5**



Jeremy M. Boyd  
Equal Opportunity Investigator

U.S. EQUAL OPPORTUNITY COMMISSION  
Buffalo Local Office

6 Fountain Plaza, Suite 350  
Buffalo, NY 14202  
(716) 551-3355  
TTY (716) 551-5923  
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# FILE COPY

Denise Payne  
4367 Sweeney Road  
Cortland, NY 13045

Re: EEOC Charge No.: 525-2018-00598  
Denise Payne v. Cornell University

Dear Ms. Payne:

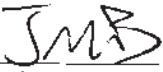
The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence submitted. You allege that you were denied a reasonable accommodation, not hired, paid disparate wages, harassed, and laid off because of your disability and in retaliation for engaging in a protected protest.

Respondent's position statement has been previously shared with you. Your rebuttal to this position statement has been received and analyzed. Based upon this analysis the Commission is unable to conclude that the information establishes a violation of Federal law on the part of Respondent. This does not certify that Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. Included with this letter is your Notice of Dismissal and Right to Sue. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge within 90 days of receipt of said notice. Otherwise, your right to sue will be lost. Please contact Investigator Jeremy Boyd at (716) 551-3355 if you have any questions.

Sincerely,

  
for  
John E. Thompson Jr.  
Director  
Buffalo Local Office

Date: AUG 13 2018

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